



**Joseph Transportation Services, Inc.**  
*a subsidiary of Joseph Transportation*

February 3, 2003

Mr. Vernon Williams  
Recordations Unit  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20006-0001

RECORDATION NO. 23100-B FILED  
FEB 11 '03 11-27 AM  
SURFACE TRANSPORTATION BOARD

RECEIVED  
FEB 11 2003  
MAIL  
MANAGEMENT  
STB

Dear Mr. Williams:

Please find enclosed, one (1) original and one (1) copy of the Termination Agreement dated as of January 24, 2003 between the following parties:

Lessee: The David J. Joseph Company  
300 Pike Street  
Cincinnati, OH 45202

Lessor: Joseph Leasing Ltd.  
300 Pike Street  
Cincinnati, OH 45202

Please see Exhibit A attached hereto for the equipment, ninety-five (95) railcars, involved in this transaction.

This filing is to appear in the index as follows: Termination Agreement dated January 24, 2003 related to ninety-five (95) railcars bearing reporting marks DJJX 9701-9804, non-inclusive and JTIX 9050.

Please file this agreement as a secondary document under the Recordation Number 23100-B as it relates to documents previously filed with the Surface Transportation Board under Recordation Numbers 23100 and 23100-A. The amount of \$30.00 for the filing fees for this document is included on the enclosed check in the amount of \$180.00. Please return the original to my attention.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 929-4500 ext. 4239.

Sincerely,

Joseph Transportation Services, Inc.

Julie M. Woodard  
Documentation Coordinator

Enclosures

### TERMINATION AGREEMENT

This Termination Agreement ("Agreement"), is entered into this 24<sup>th</sup> day of January, 2003, by and between **JOSEPH LEASING LTD.** ("Lessor"), and **THE DAVID J. JOSEPH COMPANY** (f/k/a **JOSEPH TRANSPORTATION, INC.**) ("Lessee"), terminating that certain Railroad Equipment Lease dated February 17, 1999, as amended June 7, 2002 and May 25, 2001, respectively (hereinafter referred to as the "Lease") and assigned by that certain Assignment and Assumption Agreement dated March 20, 2002.

**WHEREAS**, the parties desire to terminate the Lease. All terms defined in the Lease, unless otherwise defined herein, shall have the meanings defined in the Lease as when used in this Agreement.

**NOW, THEREFORE**, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Effective November 1, 2002, the Units subject to this Lease, attached hereto as Exhibit A, have been moved to an existing (115)-Unit, [REDACTED] lease between Joseph Leasing Ltd. and The David J. Joseph Company dated October 11, 1999, as amended June 7, 2000, and are now subject to the terms and conditions of that lease. Therefore, this Lease shall be considered terminated and all terms and conditions met.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed as of the day and year first above written.

Signed and acknowledged  
in the presence of:

Linda M. Baughman

#### LESSOR

**JOSEPH LEASING LTD.**

BY: Paul G. Jantsch

NAME: Paul G. Jantsch

TITLE: Committee Member

DATE: January 24, 2003

Signed and acknowledged  
in the presence of:

Linda M. Baughman

#### LESSEE

**THE DAVID J. JOSEPH COMPANY**  
(f/k/a Joseph Transportation, Inc.)

BY: James H. Goetz

NAME: James H. Goetz

TITLE: Exec. V.P. & Chief Financial Officer

DATE: January 24, 2003

RECORDATION NO. 23100-B FILED ?

FEB 11 '03

11-27000

SURFACE TRANSPORTATION BOARD

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of January, 2003, by Paul G. Jantsch, a Committee Member of Joseph Leasing Ltd., an Ohio limited liability company, on behalf of the company.



Linda M. Baughman  
Notary Public

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of January, 2003, by James H. Goetz, the EVP & CFO of The David J. Joseph Company (f/k/a Joseph Transportation Inc.), a Delaware corporation, on behalf of the corporation.



Linda M. Baughman  
Notary Public

**EXHIBIT A**  
**TERMINATED UNITS**

Ninety-five (95) 1999 Thrall-built Units bearing reporting marks:

DJJX 9701-9704

DJJX 9707-9715

DJJX 9718-9746

DJJX 9748-9774

DJJX 9776-9782

DJJX 9784-9788

DJJX 9790-9796

DJJX 9799-9804

JTIX 9050